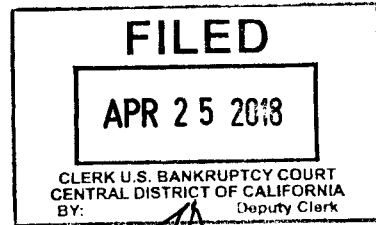


ORIGINAL

LARNITA PETTE
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Carlsbad, CA 92008

Telephone: (707) 853-2049

PLAINTIFF, PRO SE



**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION**

In re:	) Chapter 7
RALPH E. SANDERS	) Case No.: 8:17-bk-10265-MW
Debtor,	) Adv. No.: 8:17-ap-01068-MW
<hr/>)
Larnita Pette	) PLAINTIFF LARNITA PETTE'S
Plaintiff	) DECLARATION AND REQUEST TO
	) CONTINUE PRE-TRIAL CONFERENCE
	) AND TRIAL
vs.)
RALPH E. SANDERS	) Date: April 25, 2018
	) Time: 9:00 am
	) Place: Courtroom 6C
	) United States Bankruptcy Court
Defendant	) 411 West Fourth Street
	) Santa Ana, CA 92701

I, Larnita Pette, the Plaintiff, in this procedure declare that I am over the age of 18 and am competent to testify to the forgoing facts from personal knowledge.

I was in process of preparing to file a Motion for Summary Judgment or in the Alternative Summary Adjudication of Issues. I contacted the Court and obtained a hearing

1 date of March 28, 2018 at 9:00. The scheduling order directed that all pretrial motions were
2 to be heard *before* March 31, 2018.

3 Due to a recent medical diagnosis, I was unable to complete and file the motion. I
4 request that the Court continue this pretrial conference and trial for six months to October
5 2018.

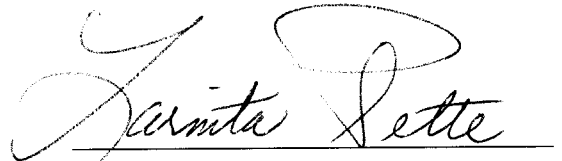
- 6 1. On February 14, 2018, a routine test came back suspicious with a possibility
7 for cancer. Additional tests were scheduled for the end of February.
- 8 2. On March 2, 2018. I received a positive diagnosis of cancer.
- 9 3. On March 13, 2018 I had an appointment with a surgeon to discuss options
10 and further tests were scheduled.
- 11 4. On March 23, 2018, I met with an oncologist to discuss treatment options.
12 Two more test procedures were scheduled.
- 13 5. On April 5, 2018, I met another surgeon for a second opinion on surgical
14 options.
- 15 6. On April 6, 2018, I again met with the oncologist to review the results of the
16 additional tests.
- 17 7. On April 24, 2018, I have a second appointment with the second surgeon to
18 set the date for surgery and to discuss plans for treatment after surgery.
- 19 8. Between April 6 and 24, I researched the drugs suggested by the oncologist
20 and possible clinical trials and research for this type of cancer.
- 21 9. As is outlined above, I was preoccupied with this sudden medical diagnosis
22 and how best to treat it to obtain a possible cure.
- 23 10. I did not call defendant to discuss the pretrial questions nor did he contact
24 me. The last time I talked to the defendant was on September 19, 2017 as
25 part of the Rule 26(f) meeting.
- 26
- 27

1 11. I have been told that the recovery from the surgery, radiation and
2 chemotherapy (if required) can take up to six months depending on the
3 pathology reports after surgery.

4 Therefore, I am asking the court to continue this Pretrial Conference and trial for six
5 months to October 2018.

6 I declare under penalty of perjury that the forgoing facts are true and correct.
7
8
9

10 DATED: April 23, 2018
11

A handwritten signature in cursive script, appearing to read "Larnita Pette", written over a horizontal line.

12 LARNITA PETTE
13 In Pro SE
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document entitled (specify): Plaintiff Larnita Pette's
Declaration and Request to Continue Pre-Trial Conference and
Trial

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☐ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:**

On (date) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) 4/25/18, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Original declaration given to Judge Wallace during scheduled Pre-Trial Conference on April 25, 2018

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

4/25/18 Larnita Pette
Date Printed Name

Larnita Pette
Signature